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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,032	04/08/2004	Henry L. Griesbach III	18,970	9235
23556	7590	04/25/2005	EXAMINER	
KIMBERLY-CLARK WORLDWIDE, INC.			HOEY, ALISSA L	
401 NORTH LAKE STREET			ART UNIT	
NEENAH, WI 54956			PAPER NUMBER	

3765

DATE MAILED: 04/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/821,032

Applicant(s)

GRIESBACH ET AL.

Examiner

Alissa L. Hoey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-14, 16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis Jr. et al. (US 5,073,988) in view of Gershman (Velcro Digest).

In regard to claim 1, Lewis Jr. et al. teaches a protective garment (10) comprising a garment body (12) having at least one sleeve (26) and a glove (24). A hook and loop fastener (58, 60) disposed between a first surface of the glove (24) and a first surface of the sleeve (26). The hook and loop fastener (58, 60) forming an interface between the glove and the garment body (figures 2-4). The glove (24) is removable from the garment body without damaging the glove or the garment body (figure 2-4).

In regard to claim 2, Lewis Jr. teaches the interface comprises at least continuous ring of the hook and loop fastener (figure 4, identifiers (58, 60)).

In regard to claim 3, Lewis Jr. teaches interface comprises a barrier to the flow of liquids into the interior portion of the protective garment due to its continuous ring (58, 60) creating a barrier.

In regard to claim 5, Lewis Jr. teaches the hook and loop fastener (58, 60) disposed on one of the first surfaces where it remains without migrating to the other first surface (figures 2-4).

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In regard to claim 7, Lewis Jr. teaches the garment body capable of being worn as clean room apparel.

In regard to claim 8, Lewis Jr. teaches the garment body capable of being worn as a surgical gown.

In regard to claim 9, Lewis Jr. teaches a protective garment (10) comprising a garment body (12) having at least one sleeve (26) and a glove (24). A hook and loop fastener (58, 60) disposed upon a surface selected from the group consisting of an interior surface of the glove (24) and an exterior surface of the sleeve (26). The hook and loop fastener (58, 60) forming an interface between the two surfaces, the hook and loop fastener having sufficient adhesion to remain affixed substantially to the surface to which it is applied while having sufficient strength to enable donning of the garment without damaging the interface (figures 2-4). The glove is removable from the garment body by breaking the interface, without causing damage to the surface of the glove or the garment body and without migration of the hook and loop fastener from the surface to which it is applied (figures 2-4, identifiers 58, 60).

In regard to claims 10 and 11, Lewis Jr. teaches the garment body capable of being worn as clean room apparel or a surgical gown.

In regard to claim 12, Lewis Jr. teaches the hook and loop fastener applied to the sleeve.

In regard to claim 13, Lewis Jr. teaches the hook and loop fastener applied to the glove (58).

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In regard to claim 14, Lewis Jr. teaches the interface comprises a barrier to the flow of liquids into an interior portion of the protective garment based upon it's continuous ring shape forming a barrier (figure 4, identifiers 58, 60).

In regard to claim 16, Lewis Jr. teaches the interface comprises at least one band of the hook and loop fastener (58, 60).

In regard to claim 19, Lewis Jr. teaches a cuff configured at the distal end of the sleeve and the hook and loop fastener disposed proximal to the cuffs (Figures 4, identifiers 36 and 60).

In regard to claim 20, Lewis Jr. teaches a garment (10) that is capable of being worn as a surgical gown. The garment comprising a gown body (12) having two sleeves (26) and a detachable glove (24) associated with each sleeve (26). A hook and loop fastener (58, 60) disposed upon an inner surface of each glove (58) for attaching the glove to the gown sleeve. The hook and loop fastener (58, 60) is sufficiently strong to enable donning of the surgical gown without separating the glove form the sleeve and wherein the glove is removable from the sleeve by peeling the glove from the sleeve without damaging the glove, the sleeve or the garment body (figures 2-4, identifiers 58, 60).

With regard to claims 1-3, 5-14, 16 and 18-20 Lewis Jr. fails to teach the interface being an adhesive of a pressure sensitive type.

Gershman teaches the interchangeability and equivalence of hook and loop fasteners and adhesives (see article).

In regard to claim 6 and 18, Gershman teaches the adhesive being an adhesive tape which is inherently a pressure sensitive adhesive (see article).

It would have been obvious to have provided the garment of Lewis Jr. with the adhesive of Gershman, since the garment of Lewis Jr. having an adhesive interface would provide a garment connection between a glove and sleeve that has a secure one time connection that is cheaper in material costs than having a hook and loop fastening means.

3. Claims 4, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis Jr. and Gershman as applied to claims 1 and 9 above, and further in view of Faass (US 5,503,908).

However, Faass fails to teach applying the peel strength force to the interface being from about 40 grams force per inch to about 290 grams force per inch nondestructively separates the glove from the garment while the adhesive remains substantially on one of the first surfaces.

In regard to claims 4 and 15, Faass teaches applying the peel strength force to the interface being from about 40 grams force per inch to about 290 grams force per inch nondestructively separates the glove from the garment while the adhesive remains substantially on one of the first surfaces.

In regard to claim 17, Lewis Jr. teaches the band being continuous around the sleeve (figures 4, identifiers 58, 60).

It would have been obvious to have provided the garment of Lewis Jr. and Gershman with the adhesive of Faass, since the garment of Lewis Jr. and Gershman

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provided with an adhesive having a peel strength force between 40-290 grams force per inch provides a garment separation point that is secure but does not destroy the garment components when separated.

### ***Conclusion***

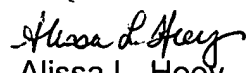
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hill, Stedman, Mooney, Manson, Haber, Philipps, Frey, Jarboe, Zarbos, Buenos, Martin, Frazee, Jones, Schoolman, Blackburn, Bowling, Seketa, Yavitz, Flick, Patnode, Ross, Evans, Coffman, Moses, Fragomeli, Carpenter, Poppe, Cormier, Schorr and Tanenbaum are all cited to show closely related garment articles.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alissa L. Hoey whose telephone number is (571) 272-4985. The examiner can normally be reached on M-F (8:00-5:30) Second Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Calvert can be reached on (571) 272-4983. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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